

# Western Liberal.

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By DON H. KEDZIE.

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## CONSTITUTIONAL CONVENTION.

We give below portions of the constitution which have already been adopted by the convention and will continue it until the constitution is completed.

### THE LEGISLATIVE DEPARTMENT.

Section 1.—The legislative power shall be vested in a legislature composed of a senate and house of representatives, both to be elected by the people, and sessions of such legislature shall be held at the seat of government of the state.

Sec. 2.—Until otherwise provided by law the senate shall consist of twenty-two members and the house of representatives of forty-four members.

Sec. 3.—The number of members of the legislature shall be fixed by law but the members of the senate shall never be less than twenty-two nor exceed thirty-three, and the members of the house of representatives shall never be less than forty-four nor exceed ninety-nine, and the number of members of the senate shall never be less than one-third nor more than one-half the number of members of the house of representatives, but each new county shall have at least one representative.

Sec. 4.—Senators shall be elected for four years, except as hereinafter provided, and representatives for two years.

Sec. 5.—At the first session of the legislature after the adoption of the constitution, the senators shall, immediately upon organizing be divided into two classes designated by odd and even numbers consecutively, from one upward. When any senatorial district has more than one senator the names of such senators shall, as near as practicable, be equally divided between the odd and even numbers; those of the one class shall hold their offices for two years, and the determination of the two classes shall be made by lot, after the names have been so numbered so that one-half the senators, as nearly as practicable, may be elected biennially thereafter.

Sec. 6.—No person shall be eligible to the legislature who is not a qualified elector in the state, and who has not been a citizen of New Mexico for at least two years prior to his election. Representatives must not be less than 21 years of age, and senators not less than 25 years of age, at the time of election, and must be residents of the districts or counties from which they are elected.

Sec. 7.—Members of the legislature shall receive for their services such compensation as may be fixed by law; but no law increasing their compensation shall apply to the members of the legislature enacting such law. Until otherwise provided by law they shall receive \$4 per day during the session, and 10 cents for each mile of necessary travel from their homes to the seat of government and returning once in each session.

Sec. 8.—The legislature shall regularly meet once in two years, on the first Tuesday after the first Monday in January next after the election in November; but the first legislature elected under this constitution shall meet on the first Monday after the expiration of ninety days from the date of the passage and approval of an act of congress admitting this state into the union, unless the time for such meeting be fixed by said act. No regular session shall last more than sixty days, nor any special session more than twenty days. At special sessions no business shall be transacted except such as relates to the objects for which the legislature was convened, to be stated in the proclamation by the governor.

Sec. 9.—A majority of either house shall constitute a quorum to do business, but a less number may effect a temporary organization, adjourn from day to day and compel the attendance of absent members.

Sec. 10.—Each house shall be the judge of the election and qualifications of its own members, and shall determine the rules of its proceedings. The senate shall at the beginning and close of each regular session, and at such other times as may be necessary, elect one of its members president pro tempore, to preside in the absence of the lieutenant governor. The house of representatives shall elect one of its own members as speaker. Each house shall choose its own officers, but the legislature shall not elect or appoint any officer except United States senator.

Sec. 11.—Each house shall have power to punish its members for disorderly behavior; or for absence without permission of the house, and, by a vote of two-thirds of all its members, to expel any member but not a second time for the same offense; to enforce obedience to its process; and to punish by imprisonment, not extending beyond the session, any person not a member, for contempt or for disorderly behavior in its presence, obstructing any of its proceedings or any of its members or officers in the discharge of his or their duties; or for any assault, threatening or abuse of a member for words spoken in debate; but such punishment for contempt or disorderly behavior shall not bar a criminal prosecution for the same offense.

Sec. 12.—Members of the legislature shall in all cases, except treason, felony, violation of their oath of office and breach of surety of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and

in going to and returning from the same. And no member, for words spoken in any speech or debate, or for any vote he may give as such members shall ever be questioned in any other place.

Sec. 13.—No member of the legislature shall, during the term for which he was elected, be appointed or elected to any civil office which has been created, or the emoluments whereof have been increased during such term; nor receive any civil appointment to any office within the state; nor shall any member of the legislature, during the term for which he shall have been elected, or within one year thereafter, be interested directly or indirectly in any contract with the state, or any county thereof, authorized by any law passed during the term for which he shall have been elected.

Sec. 14.—Each house shall keep a journal of its proceedings, and shall publish the same. Neither house shall, without the consent of the other, adjourn for more than two days, nor to any other place than that where the two houses are sitting; and on the day of final adjournment they shall adjourn at 12 o'clock noon.

Sec. 15.—The enactment clause of all bills shall be, "Be it enacted by the legislature of the state of New Mexico." No bill shall become a law unless it has been printed and read three different times, not more than two of which shall be on the same day, and the third of which readings shall be in full. Any bill may originate in either house of the legislature.

Sec. 16.—Each law, except general appropriation bills, shall embrace but one subject, which shall be expressed in the title. But if any subject shall be embraced in any law which is not expressed in the title, such law shall be void only as to so much thereof as shall not be expressed.

Sec. 17.—General appropriation bills shall embrace nothing but appropriations for the expenses of the executive, legislative and judicial departments of the state, interest on the public debt, for public schools and for continuing expenses required by existing laws. All other appropriations shall be made by separate bills, each embracing but one subject.

Sec. 18.—No bill shall become a law except by vote of a majority of all the members elected to each house, nor unless on its final passage the vote be taken by yeas and noes, and the names of those voting entered on the journal.

Sec. 19.—The presiding officer of each house shall, in the presence of the house over which he presides, sign all bills and joint resolutions passed by the legislature, and publicly announce the title of the same as signed; and the fact of such signing shall be entered on the journal.

Sec. 20.—In all elections and confirmations to be made by the legislature, or either house thereof, the members shall vote viva voce, and their votes shall be entered on the journal. The sessions of each house, and of the committee of the whole, shall be open.

Sec. 21.—No law or section of a law shall be amended by reference only to its title or number, but such law or section shall be set forth at full length as amended.

Sec. 22.—The legislature shall not pass special or local laws on any of the following subjects, that is to say: Assessment and collection of taxes; exemptions from taxation; laying out, opening, working, altering or vacating roads, highways, streets or public squares; changing the names of persons or places; incorporation of cities, towns and villages; locating or changing county seats; apportionment or election; jurisdiction; duties or compensation of city, town, village or precinct officers; regulating the practice of courts of justice; changing the venue in civil or criminal cases; changing the law of descent; granting divorces; summoning or impeding jurors; common schools; affecting estates of minors or other persons under legal disability; claims or accounts against the state or any municipality existing therein; refunding money paid into the treasury; releasing persons from any debt or obligation to the state, or any municipal or quasi-municipal corporation therein; granting or amending charters to corporations, or licensing toll roads or bridges; county, city, town, village, precinct or district indebtedness; legitimizing children; creating, increasing or decreasing fees, percentages or allowances of public officers. But upon all the subjects above mentioned, and in all other cases where a general law can be applicable, all laws shall be general; and no special law shall be enacted in any case which is provided for by an existing general law, or where the relief sought can be had in any court of the state. Provided, however, that nothing in this paragraph contained shall apply to the amendment of municipal corporations heretofore created by any special law of the territorial legislature.

Sec. 23.—The legislature shall not grant to any corporation or corporations, nor to any person or persons, any rights, privileges, immunities or exemptions which shall not upon the same terms belong equally to all persons.

Sec. 24.—No law shall be passed except by a bill adopted by both houses, and no bill shall be so altered or amended on its

passage through either house as to change its original purpose.

Sec. 25.—No bill for the appropriation of money, except for the ordinary expenses of the government, shall be introduced after the fiftieth day of the session, except by unanimous consent of the house in which it is introduced.

Sec. 26.—No public act shall take effect until the expiration of sixty days from the end of the session at which the same may be passed, unless, in case of public emergency which shall be expressed in the act, the legislature shall in the same act otherwise direct.

Sec. 27.—The power of impeachment shall be vested in the house of representatives, but a majority of all the members of the house must concur to direct an impeachment. All impeachments shall be tried by the senate, and when organized for the purpose of such trial the chief justice of the supreme court of the state shall preside, unless he is impeached or otherwise disqualified when the senate shall elect a presiding officer, and no person shall be convicted except upon the vote of two-thirds of the senators elected. Any person convicted shall be removed from office and may, in addition, be forever disqualified from holding any office or voting in this state. But such trial shall not be a bar to a criminal prosecution or civil action according to law.

Sec. 28.—The legislature shall pass all laws necessary to carry into effect the provisions of this constitution.

Sec. 29.—In addition to the state university, the agricultural college, the asylum for the insane, and the school of mines already established by law in the territory of New Mexico, one or more normal schools shall be established.

Sec. 30.—Public institutions may be established by law for the maintenance, care and instruction of indigent, deaf and dumb, blind or indigent sick persons, or orphans or paupers, and whenever any such institution shall have been so established and put in operation, no other institution for the same purpose shall receive any aid or support from public funds, but until such institutions are so established and put in operation, provision may be made by law for the maintenance, care and instruction of such persons by individuals, or in other institutions. Such aid and support shall be under the inspection of proper officers appointed for that purpose, and every such individual or such institution shall make an itemized annual report concerning such aid and support to the governor for the information of the legislature.

Sec. 31.—Public money or property shall never be used or appropriated for private purposes, nor for the aid or support of any institution not under the absolute control of the state, except for the time as in the foregoing section mentioned.

### THE INCURABLE CURED.

A Remarkable Statement from a Well-known Citizen of South Carolina.

Cancer is hereditary in my family, an aunt on each side having died from this dreadful disease. In each instance the cancer was located in identically the same position that mine first made its appearance—just below the left eye and extending down the left cheek bone and nose. I was attended by the best physicians, but the case continued to grow worse under their treatment, and no hope of a cure could be given by them; they said: "I had better have my affairs for this life and the next arranged, for the cancer was liable to strike a vital organ at any moment and at once bleed me to death. About this time, 1886, I met with Mr. Shirley, living near Due West, whose cancer was being rapidly cured by using Swift's Specific (S. S. S.). I then gave up the doctors and all medicines I had heretofore been using, and commenced taking S. S. S., and after using the third bottle, I discovered that the scab had fallen off, and that those sharp darting pains so characteristic of the cancer, had ceased and the discharge was very profuse. In a few days it began to heal rapidly, and soon dried up. By the time I had exhausted and the fifth bottle there was nothing left but the scar where the cancer had been, and I was a well man. The cure effected in my case is considered by my neighbors a most remarkable one, and clearly demonstrates the fact that S. S. S. DOES CURE CANCER. Swift's Specific is a boon to suffering humanity, and all I ask is, that those afflicted with cancer give it a trial, and like myself will be convinced of its virtues." JAMES B. ARNOLD.

Greenwood, S. C.  
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